

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

MARK THOMAS CANIFF,

Defendant-Appellant.

UNPUBLISHED

August 22, 1997

No. 175650

Kent Circuit Court

LC No. 93-061324-FH

Before: Cavanagh, P.J., and Holbrook, Jr. and Jansen, JJ.

MEMORANDUM.

Defendant pleaded guilty of two counts of second-degree criminal sexual conduct, MCL 750.520c(1)(a); MSA 28.788(3)(1)(a). The trial court sentenced defendant to five years probation. Subsequently, defendant was found to have violated four terms of his probation, and he was sentenced to two to fifteen years' imprisonment. Defendant appeals as of right, claiming that his sentence is disproportionate. However, because defendant has fully served the minimum sentence, his challenge to the proportionality of the sentence has been rendered moot. See *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994).

Dismissed as moot.

/s/ Mark J. Cavanagh

/s/ Donald E. Holbrook, Jr.

/s/ Kathleen Jansen